

1 SHOOK, HARDY & BACON LLP
2 B. Trent Webb, Esq. (*pro hac vice*)
Eric Buresh, Esq. (*pro hac vice*)
2555 Grand Boulevard
3 Kansas City, Missouri 64108-2613
Telephone: (816) 474-6550
4 Facsimile: (816) 421-5547
bwebb@shb.com
eburesh@shb.com

5
6 Robert H. Reckers, Esq. (*pro hac vice*)
7 600 Travis Street, Suite 1600
Houston, Texas 77002
8 Telephone: (713) 227-8008
9 Facsimile: (731) 227-9508
rreckers@shb.com

10 GREENBERG TRAURIG
Mark G. Tratos, Esq. (Nevada Bar No. 1086)
Brandon Roos, Esq. (Nevada Bar No. 7888)
Leslie Godfrey, Esq. (Nevada Bar No. 10229)
3773 Howard Hughes Parkway
Suite 400 North
Las Vegas, NV 89169
Telephone: (702) 792-3773
Facsimile: (702) 792-9002
tratosm@gtlaw.com
roosb@gtlaw.com
godfreyl@gtlaw.com

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19 Attorneys for Defendants
20 RIMINI STREET, INC. and SETH RAVIN

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24 UNITED STATES DISTRICT COURT
25 DISTRICT OF NEVADA

26 ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

27 Plaintiffs,
28

v.

RIMINI STREET, INC. , a Nevada corporation;
SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-PAL

DEFENDANTS' UNOPPOSED
MOTION FOR LEAVE TO FILE
AMENDED ANSWERS OUT OF TIME

1 Defendants Rimini Street Inc. (“Rimini”) and Seth Ravin (collectively “Defendants”)
2 file this Unopposed Motion for Leave to File Amended Answers Out of Time and state as follows:

3 1. On March 29, 2010, Rimini Street answered Plaintiffs’ original complaint in part,
4 pled affirmative defenses, and moved to dismiss as to the remaining twelve claims without
5 answering. (Dkt. 30) Ravin moved to dismiss all claims against him without answering. (Dkt. 28).

6 2. Plaintiffs amended their complaint, and on May 6, 2010, Ravin filed an Answer with
7 respect to Oracle’s claims for copyright infringement and breach of contract, pled affirmative, and
8 moved to dismiss all other claims. (Dkt. 47) On May 24, 2010, Rimini Street also filed an Answer
9 with respect to Oracle’s claims for copyright infringement and breach of contract, pled affirmative
10 defenses, and moved to dismiss all other claims. (Dkt. 56).

11 3. On August 13, 2010, the Court granted-in-part and denied-in-part both Rimini
12 Street’s and Ravin’s separate motions to dismiss the First Amended Complaint, dismissing
13 Plaintiffs’ claim for negligent interference with prospective economic advantage but denying the
14 motions as to the remainder of the claims. (Dkt. 78) Accordingly, under Federal Rule of Civil
15 Procedure 12(a)(4)(A) and Rule 6(d), Defendants were required to file their Answers by Monday,
16 August 30, 2010 to address the surviving claims not previously answered.

17 4. Due to an oversight by the undersigned counsel, Defendants inadvertently did not
18 timely file their Answers for the surviving claims. Counsel failed to properly calendar the need for a
19 filing of the Amended Answers following the Order on the Motions to Dismiss.

20 5. Counsel for Defendants and counsel for Plaintiffs have conferred regarding this
21 oversight, and Plaintiffs do not oppose this motion for leave.

22 For the above reasons, Defendants request that this Court enter an order granting
23 Defendants leave to file the Amended Answers attached hereto as Exhibit A (Answer for Rimini)
24 and Exhibit B (Answer for Mr. Ravin). A Proposed Order is submitted with this Motion.

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2 DATED: September 7, 2010 SHOOK, HARDY & BACON
3

4 By: /s/ Robert H. Reckers
5 Robert H. Reckers, Esq.
6 Attorneys for Defendants
Rimini Street, Inc. and Seth Ravin
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8 **CERTIFICATE OF SERVICE**
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10 I hereby certify that on the 7th day of September, 2010, I electronically filed the
11 foregoing document with the clerk of the court for the U.S. District Court, District of Nevada, using
12 the electronic case filing system. The electronic case filing system sent a "Notice of Electronic
13 Filing" to the attorneys of record who have consented in writing to accept this Notice as service of
this document by electronic means.

14 By: /s/ Robert H. Reckers
15 Robert H. Reckers
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17 *Attorney for Defendants*
Rimni Street, Inc. and Seth Ravin
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